



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/842,242	04/25/2001	Jafar S. Nabkel	1850(42059-01310)	7521
22193	7590	06/01/2005	EXAMINER	
QWEST COMMUNICATIONS INTERNATIONAL INC LAW DEPT INTELLECTUAL PROPERTY GROUP 1801 CALIFORNIA STREET, SUITE 3800 DENVER, CO 80202			CHO, HONG SOL	
			ART UNIT	PAPER NUMBER
			2662	

DATE MAILED: 06/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/842,242

Applicant(s)

NABKEL ET AL.

Examiner

Hong Cho

Art Unit

2662

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-46 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 4, 5, 12-15, 24, 25, 27, 28 and 35-38 is/are rejected.
- 7) ☒ Claim(s) 3, 6-11, 16-23, 26, 29-34 and 39-46 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. The following is a response to the amendment filed on 3/28/2005.

Claim Objections

2. Claim 6 is objected to because of the following informality:

Re claim 6, in line 4, one of the word "visible" should not be deleted.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102(e) that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 2, 4, 5, 12-15, 24, 25, 27, 28, and 35-38 are rejected under 35 U.S.C. 102(e) as being anticipated by Rigole.

For the purpose of examination, "interchange party computer system (IPCS) (figure 1, element 2)" is interpreted by the Examiner to function as "integrated services controller".

Re claims 1 and 24, Rigole discloses providing interchange party computer system (IPCS) that allows a customer to access a variety of different services such as voice over IP, Internet service and satellite television broadcast service from different

service providers (*integrated control of at least one communication service provided by at least one communication service provider*, page 1, paragraph [0008], lines 6-10; paragraph [0055]). Rigole discloses an IPCS connected to a plurality of communications networks (figure 1). Rigole discloses consumer profile supplied by a consumer and service profile supplied by a service provider for use by the IPCS (*providing dynamic service profile merging of service-specific parameters settable by at least one of a customer and the service, which may contain one or more variable entries, provided by each of the at least one communication services*, page 4, paragraph [0044], lines 1-11). Rigole discloses service comparison and selection module allowing a customer to compare and select a particular service provider by querying a database of service providers (*configuring ISC to merge the service-specific parameters into a multi-service profile which contains at least one master key field and one service-specific field unique to each of the communication service*, page 6, paragraph [0056], lines 1-10).

Re claims 2, 4, 25, and 27, Rigole discloses an IPCS configured to control at least one communication service for an individual person customer and a plurality of individual person customers (figure 1, page 3, paragraph [0027], lines 1-5).

Re claims 5 and 28, Rigole discloses the IPCS including a relational database of a service profile with key field that allows consumers to select preferred services (*a service profile schema defined by the ISC which includes one master key field shared across the communication services*, page 5, paragraph [0049], lines 1-5) by querying a master profile or separate profiles relating to separate service providers (*service-specific field unique to each of the communication service*, page 6, paragraph [0056], lines 1-5).

Re claims 12 and 35, Rigole discloses an automated services monitoring module that notifies consumers if another service becomes available (*the MMSP may contain one or more specific fields for presence information and may also contain one or more service specific fields for availability information*, page 7, paragraph [0062], lines 4-7).

Re claims 13 and 36, Rigole discloses program module determining if another available service surpasses the selected criteria in a consumer profile (*the presence and availability information maybe made visible to other services for use in internal service processing*, page 7, paragraph [0063], lines 15-30).

Re claims 14, 15, 37, and 38, Rigole discloses an automated best services selection module that may work in conjunction with an automated services monitoring module (*the presence and availability information is provided by a single presence and availability service or a separate presence and availability service*, page 7, paragraph [0063], lines 4-6).

Response to Arguments

5. Applicant's arguments filed on 3/28/2005 have been fully considered but they are not persuasive.

On page 8, the Applicant argues that Rigole does not teach or reasonably suggest providing any type of communication service from a communication service provider. The Examiner respectfully disagrees. Rigole discloses an IPCS having means for providing communication services such as voice over IP, Internet service and satellite television broadcast service from a communication service provider. Therefore, the

Examiner concludes that the rejection of 1, 2, 4, 5, 12-15, 24, 25, 27, 28, and 35-38 stands rejected.

On page 9, the Applicant argues that the word “communication” is not found in Rigole. In fact, the word “communication is found several times in Rigole (paragraphs [0030] and [0031]).

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no, however, event will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hong Cho whose telephone number is 571-272-3087. The examiner can normally be reached on Mon-Fri during 7 am to 4 pm.

Art Unit: 2662

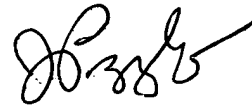
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on 571-272-3088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3088.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

hc

Hong Cho
Patent Examiner
5/20/2005



JOHN PEZZLO
PRIMARY EXAMINER